

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DAVID HOWARD</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 02-CV-3797</b>
	:	
<b>JOHN E. POTTER, Postmaster General</b>	:	

**RULE 16 CONFERENCE**

**AND NOW**, this 28<sup>th</sup> day of January, 2005, it is **ORDERED**, pursuant to Federal Rules of Civil Procedure 16 and 26 and Local Rule of Civil Procedure 16.1, that the parties shall meet to discuss the nature and basis of their claims and defenses, and the possibilities for a prompt settlement or resolution of the case. It is **FURTHER ORDERED** that the parties shall submit to the Court, on or before February 28, 2005, a joint "Rule 16 Memorandum" that includes:

1. A proposed schedule for remaining pretrial proceedings setting forth the time limits:
  - (a) to file non-dispositive motions;
  - (b) to complete discovery;
  - (c) to file pretrial memoranda pursuant to Federal Rule of Civil Procedure 26(a)(3) and Local Rule of Civil Procedure 16.1(c);
  - (d) to exchange exhibits;
  - (e) to exchange experts' reports; and
  - (f) to file dispositive motions.
2. A statement on each of the following:
  - (a) the prospects of amicable settlement;
  - (b) whether all parties agree to a referral of this case to U.S. Magistrate Judge Jacob P. Hart for trial;
  - (c) the estimated length of trial;
  - (d) the basis for the Court's jurisdiction; and
  - (e) any other matter that may facilitate the just, speedy, and inexpensive disposition of this case.
3. A certification that all counsel have conferred and discussed each of the above matters and approve the contents of the Rule 16 Memorandum.

Upon review of the parties' Rule 16 Memorandum, the Court will issue a Scheduling Order pursuant to Federal Rule of Civil Procedure 16(b) setting forth the dates for the remaining pretrial proceedings, final pretrial conference, and trial.

**BY THE COURT:**

**S/Bruce W. Kauffman**  
**BRUCE W. KAUFFMAN, J.**